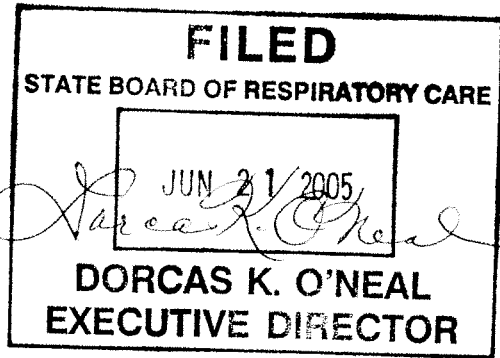


PETER C. HARVEY
ATTORNEY GENERAL OF NEW JERSEY
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101

By: Tobey Palan
Deputy Attorney General
(973) 648-2436



STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF RESPIRATORY CARE

IN THE MATTER OF THE	:	Administrative Action
THE LICENSE OF	:	
	:	INTERIM CONSENT ORDER
DANIEL CASTANEDA,	:	
License No. 43ZA00395500	:	
	:	
TO PRACTICE RESPIRATORY CARE	:	
IN THE STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Respiratory Care (the "Board") upon notice from Respondent's former employer, Voorhees Pediatric Facility (the "Pediatric Facility"), in which it advised the Board that Respondent's employment as a respiratory care practitioner was terminated effective December 23, 2004 due to his inappropriately striking a resident at the Pediatric Facility. After review of the matter, including Respondent's testimony before the Board, the Board considered the issue of whether Respondent inappropriately smacked a minor patient twice during a tracheotomy tube change and threatened him

thereafter. The Board determined that a complete and adequate psychiatric evaluation must be concluded before it can determine an appropriate resolution of this matter. The Board is particularly interested in a psychiatrist's opinion regarding whether Respondent is able to engage in the practice of respiratory care consistent with the safety, health and welfare of the public. Therefore, the Board, having considered the aforesaid information, and Respondent, consenting to the entry of this Interim Oder without any further proceeding, and the Board finding that the within Consent Order is adequately protective of the public health, safety and welfare, and that good cause exists for its entry;

IT IS ON THIS *21st* DAY OF *June*, 2005,

ORDERED that Respondent may continue to hold a license to practice respiratory care at this time, on the following conditions:

1. Respondent shall undergo a complete psychiatric evaluation at his expense and shall cause a report of the evaluation to be forwarded to the Board within two months of the date of this Order, the evaluation and report to be completed by evaluators James J. Ferretti, M.D., P.A. ((201-656-1745) in Jersey City, New Jersey) or Jose M. Soto, M.D. ((201)-453-9066) in West New York, New Jersey) (the "Evaluator"). Prior to the evaluation, Respondent will inform the Board of his choice of Evaluator, so that the Board can provide the Evaluator with background materials.

Copies of these materials will also be sent to Respondent.

2. Respondent shall cooperate fully in the evaluation process, including cooperating with all reasonable requests of the Board and the Evaluator by keeping appointments in a timely fashion, by supplying the Evaluator with copies of all prior psychiatric evaluations, diagnoses and treatment and by completing all tests, interviews and other procedures required for a complete psychiatric evaluation.

3. Respondent hereby authorizes the Evaluator to provide an evaluation report to the Board. Respondent expressly waives any claim to privilege or confidentiality of any information regarding his evaluation, whether obtained from the Evaluator or any other health care provider or any other entity. Respondent specifically agrees that any such information may be provided to the Board and utilized by the Board in connection with any proceedings relevant to his licensure.

4. It is expressly understood that at such time as the Board receives the final evaluation report of the Evaluator, or at the expiration of the two (2) month period set forth herein, whichever is sooner, the Board reserves the right to institute disciplinary proceedings it believes are appropriate to ensure the safety, health and welfare of the public, including, but not limited to, formal disciplinary proceedings regarding the incident at the Pediatric Facility.


5. Any failure by Respondent to comply with the conditions herein will constitute a violation of a Board Order and/or a failure of the duty to cooperate which shall provide grounds for disciplinary action pursuant to N.J.S.A. 45:1-21.

6. The Board and Respondent each reserve the right to take any further action in this matter permitted by the New Jersey Statutes and Regulations, and the Rules pertaining to administrative proceedings.

7. This Order is effective upon its filing with the Board of Respiratory Care.

NEW JERSEY STATE BOARD OF RESPIRATORY CARE

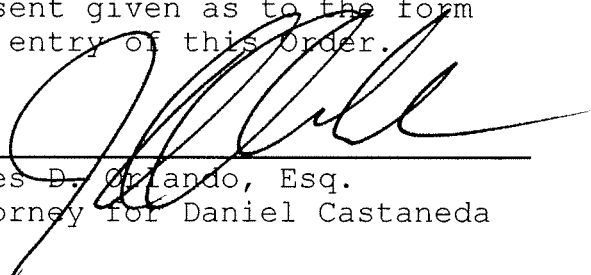
By: _____


Kenneth Capek
Chairman

I have read and understood
the within Order and agree
to be bound by the terms
therein. Consent is hereby
given for the Board to enter
this Order.


Daniel Castaneda
Respondent

Consent given as to the form
and entry of this order.


James D. Orlando, Esq.
Attorney for Daniel Castaneda